

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0096 – Goodnight Manchaca
Development

Z.A.P. DATE: August 18, 2015

ADDRESS: 10035 Manchaca Road

DISTRICT AREA: 5

OWNER: 10035 Manchaca Road LLC
(Brandon Cash)

AGENT: Miller Gray
(Dale Gray, P.E.)

ZONING FROM: I-RR

TO: CS

AREA: 2.823 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay: 1) limits the number of daily vehicle trips to 2,000; and 2) prohibits the following uses: agricultural sales and services, automotive repair services, automotive rentals, automotive sales, automotive washing (of any type), building maintenance services, campground, commercial blood plasma center, electronic prototype assembly, electronic testing, equipment repair services, equipment sales, laundry services, limited warehousing and distribution, kennels, maintenance and service facilities, monument retail sales, transitional housing, transportation terminal and vehicle storage.

ZONING & PLATTING COMMISSION RECOMMENDATION:

August 18, 2015: *APPROVED CS-CO DISTRICT ZONING AS STAFF RECOMMENDED,
BY CONSENT*

[L. BRINSMADE; B. EVANS – 2ND] (10-0) J. GOODMAN – NOT YET ARRIVED

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject undeveloped platted lot is situated along Manchaca Road and is zoned interim – rural residence (I-RR) district since its annexation into the City limits in July 2007. There is a convenience storage business to the north and east (I-RR), an adjacent construction sales and services business and the Sweetwater Glen condominiums to the south (CS-CO; I-RR), and a few residences and commercial uses in unincorporated Travis County to the west. Further to the north at the Manchaca Road/Slaughter Lane intersection is a commercial shopping center. Please refer to Exhibits A (Zoning Map), A-1 (Aerial) and B (Recorded Plat).

The Applicant has requested general commercial services (CS) district zoning in order to construct a restaurant (general) use with a bowling alley (indoor sports and recreation use) and office space. The property is situated between two sites that are developed with CS uses and the Applicant is willing to prohibit the more intensive CS uses. In reviewing the Conditional Overlay connected with the adjacent property to the south, the Staff recommends CS-CO district zoning with the construction sales and services and convenience storage as the only two CS uses, and all permitted GR uses with the exception of auto-related uses, based on the following: 1) the property is situated between two CS uses, 2) location along an arterial roadway; and 3) limitation on the number of daily vehicle trips to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	I-RR	Convenience storage
<i>South</i>	CS-CO	Construction sales and services
<i>East</i>	I-RR	Convenience storage
<i>West</i>	County	A couple of residences; Auto rental; Alternative financial services; Auto repair; Retail sales, Cocktail lounges

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 217 – Tanglewood Forest Neighborhood Association
 242 – Slaughter Lane Neighborhood Association
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 1214 – Baurle Ranch Homeowners Association
 1228 – Sierra Club, Austin Regional Group
 1340 – Austin Heritage Tree Foundation
 1525 – Sweetwater Glen Homeowner's Association
 1530 – Friends of Austin Neighborhoods

943 – Save Our Springs Alliance
 1363 – SEL Texas
 1528 – Bike Austin

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0074 – Zilk's – 1807 W Slaughter Ln	GR to LI	To Grant LI-CO w/CO for list of prohibited uses	Apvd LI-CO as Commission recommended (08-16-2012).
C14-2010-0190 – BB OTL Project – 1807 W Slaughter Ln	GR to LI	To Grant LI-CO w/CO for list of prohibited uses	Apvd LI-CO as Commission recommended (01-13-2011).
C14-2008-0147 – Lopez Hardware and Lumber Company – 10037 Manchaca Rd	I-RR to CS	To Grant CS-CO w/CO for 2,000 trip/day and a list of prohibited uses	Apvd CS-CO as Commission recommended (9-25-2008).

RELATED CASES:

The property is platted as Lot 2, AAA Facilities Subdivision, recorded on February 7, 2000 (C8-99-0063.0A). Please refer to Exhibit B.

The property was annexed into the Full purpose City limits on July 2, 2007 (C7a-07-005).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Manchaca Road	114 feet (maintained by TxDOT)	90 feet	Major Arterial, Undivided, 4 lanes	No	Yes; Wide shoulder; Route #27	Yes

Note: TxDOT has plans to widen Manchaca south of Ravenscroft in the future. No known improvements are planned between Ravenscroft and Slaughter.

CITY COUNCIL DATE: September 10, 2015

ACTION:

ORDINANCE READINGS: 1st

2nd

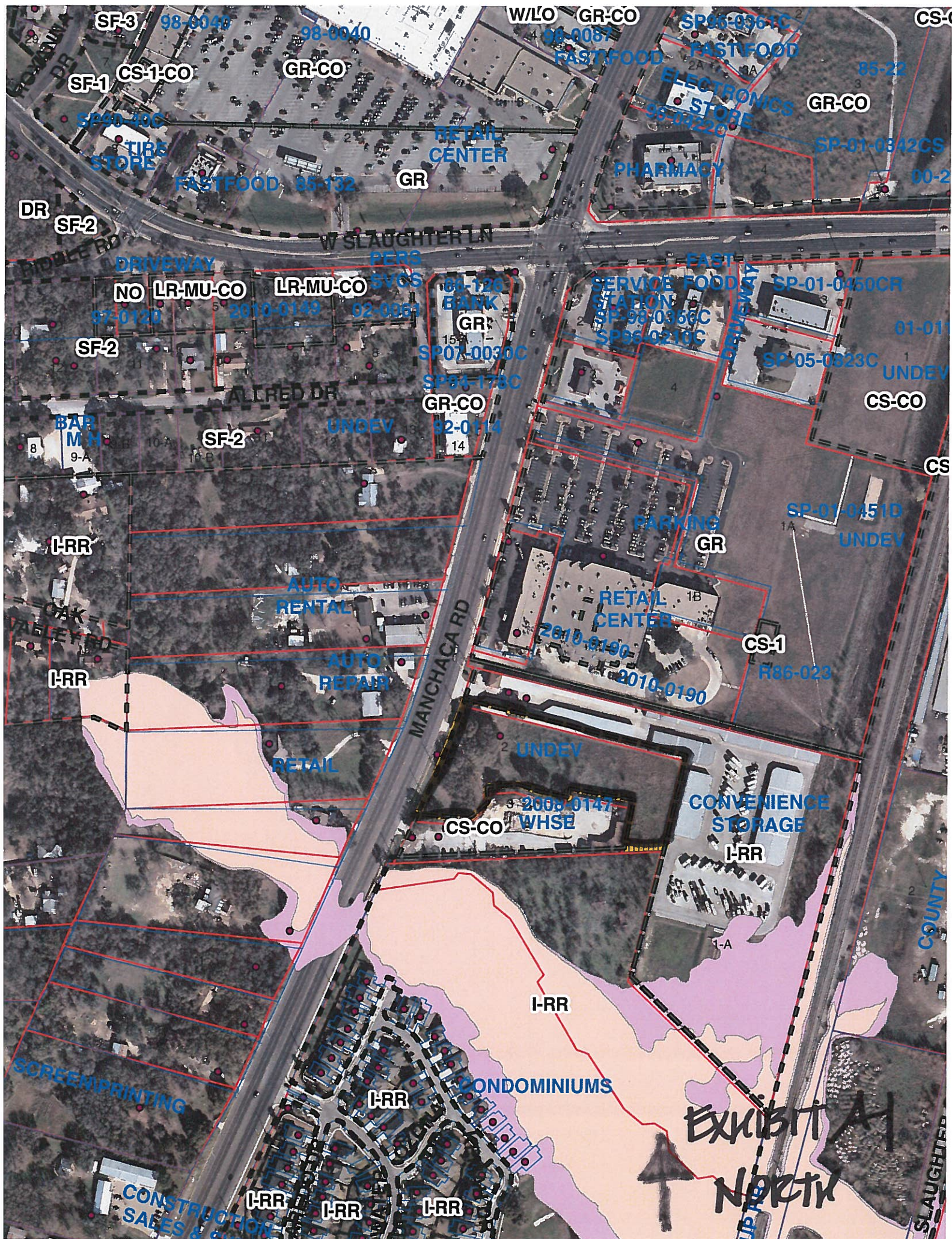
3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719





02-07-2000

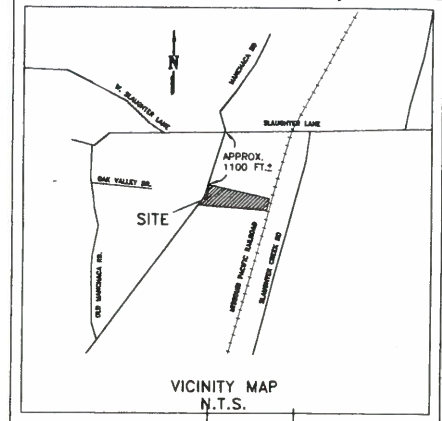
Doc # 200000049

BENCHMARK: SOUTHEAST CORNER OF MANCHACA ROAD @ SLAUGHTER LANE. "L" CUT ON SOUTHWEST CORNER OF CONCRETE FOOTING OF ELECTRIC TRANSMISSION POLE. ELEV. = 708.89 (CITY OF AUSTIN F.B. 4005, PG. 7)

T.B.M.: RAILROAD SPIKE IN WEST SIDE OF POWER POLE, EAST SIDE OF MANCHACA ROAD @ NORTHWEST CORNER OF LOT 1. ELEV. = 697.81

AAA FACILITIES SUBDIVISION

A SUBDIVISION OF 8.686 ACRES OF THE S.F. SLAUGHTER SURVEY NO. 1



CURVE TABLE

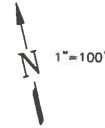
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	BEARING
C-1	2924.80'	07°09'36"	182.99'	365.50'	365.27'	N20°41'23"E
C-2	2939.80'	01°58'07"	50.51'	101.00'	101.00'	N18°04'34"E
C-3	2939.80'	05°12'35"	133.75'	267.30'	267.22'	N21°39'54"E
C-4	2924.80'	02°25'40"	61.97'	123.93'	123.92'	N15°53'44"E

TANGENT TABLE

T1	S09°49'20"W-23.40'
T2	N79°28'17"W-69.78'
T3	N72°29'58"W-59.84'
T4	S85°35'36"W-78.93'
T5	S04°01'17"E-39.05'
T6	S47°51'42"W-53.24'
T7	S70°26'47"W-11.75'
T8	N24°20'06"E-32.08'
T9	S85°39'54"E-30.00'
T10	N87°23'14"E-182.99'
T11	N02°31'29"E-175.52'
T12	S87°28'11"E-10.00'
T13	S02°31'29"W-159.55'
T14	N87°23'14"E-255.68'
T15	S02°36'46"E-15.00'
T16	S71°12'04"E-219.66'
T17	S87°23'14"W-27.39'
T18	N71°12'04"W-192.62'
T19	S24°20'06"W-47.85'
T20	S10°39'40"E-46.36'

LEGEND

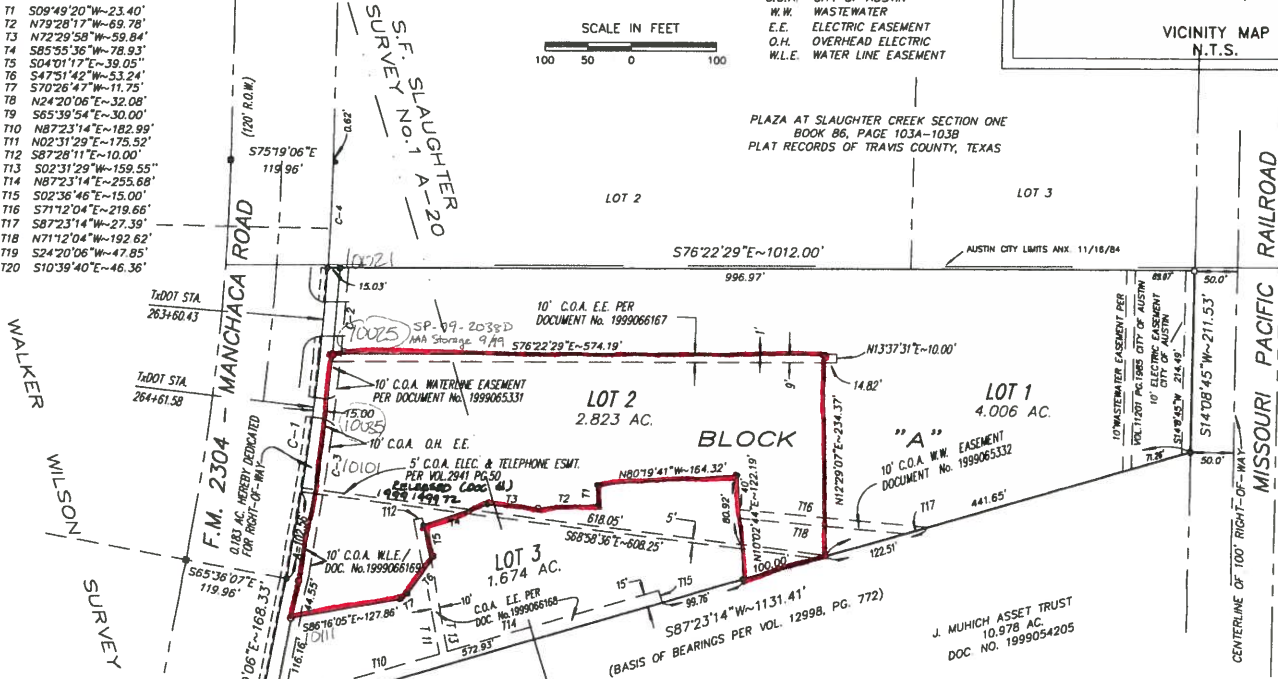
- CONCRETE MONUMENT FOUND
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- PIPE FOUND
- NAIL FOUND
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- B.L. BUILDING LINE
- (BRG.-DIST.) RECORD CALL
- C.O.A. CITY OF AUSTIN
- W.W. WASTEWATER
- E.E. ELECTRIC EASEMENT
- O.H. OVERHEAD ELECTRIC
- W.L.E. WATER LINE EASEMENT



SCALE IN FEET
100 50 0 100

PLAZA AT SLAUGHTER CREEK SECTION ONE
BOOK 86, PAGE 103A-103B
PLAT RECORDS OF TRAVIS COUNTY, TEXAS

VICINITY MAP
N.T.S.



Witness my hand this 25 day of June, 1999

Raymond D. Alexander

Raymond D. Alexander
10037 Manchaca Road
Austin, Texas 78747

STATE OF TEXAS } KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS }

Before me, the undersigned authority, on this day personally appeared Raymond D. Alexander, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and in the capacity as therein stated.

GIVEN UNDER MY HAND THIS 25 DAY OF June, 1999.

Notary Public in and for the State of Texas

My Commission Expires: 8/21/99



I, Timothy A. Lenz, am authorized under the laws of the State of Texas to practice the profession of surveying, and hereby certify that this plat complies with the surveying related portions of Title 13 of the Austin City Code of 1981, as amended, is true and correct to the best of my knowledge and was prepared from an actual survey of the property made by me or under my supervision on the ground.

Timothy A. Lenz

Timothy A. Lenz, R.P.L.S., No. 4393
Lenz & Associates, Inc.
1714 Fortview Rd. Suite 104
Austin, Texas 78704



EXHIBIT B
RECORDED PLAT

C8-99-0063.0A

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

THAT John Muhich, as trustee of The J. Muhich Asset Trust (the "Asset Trust"), owner of that certain tract out of the Walker Wilson Survey No. 2, Abstract No. 27 and the S.F. Slaughter Survey No. 1, Abstract No. 20, Travis County, Texas, containing 5.429 acres, being out of that certain 6.972 acre tract conveyed to the Asset Trust by deed recorded in Volume 13250, Page 2366 of the Real Property Records of Travis County, Texas (called to contain 6.978 acres per deed), and as trustee of the Manchaca Business Trust (the "Business Trust"), owner of that certain tract out of the Walker Wilson Survey No. 2, Abstract No. 27 and the S.F. Slaughter Survey No. 1, Abstract No. 20, Travis County, Texas containing 1.543 acres, being out of that certain 6.972 acre tract conveyed to the Asset Trust by deed described above and being conveyed by the Asset Trust to the Business Trust by deed recorded as Document No. 1999138386 in the Official Public Records of Travis County, Texas; and Raymond D. Alexander, owner of that certain tract out of the Walker Wilson Survey No. 2, Abstract No. 27 and the S.F. Slaughter Survey No. 1, Abstract No. 20, Travis County, Texas, containing 1.714 acres, conveyed to Raymond D. Alexander by deed recorded in Volume 12998, Page 772 of the Real Property Records of Travis County, Texas (called to contain 1.719 acres per deed), do hereby subdivide 8.686 acres to be known as AAA FACILITIES SUBDIVISION in accordance with the plat shown hereon, and do hereby dedicate to the public the use of all streets and easements shown hereon, subject to any and all easements and restrictions heretofore granted and not released.

Witness my hand this 1st day of FEBRUARY, 2000

John Muhich
John Muhich, Trustee
The J. Muhich Asset Trust
4203 Spinnaker Cove
Austin, Texas 78731

John Muhich
John Muhich, Trustee
The Manchaca Business Trust
4203 Spinnaker Cove
Austin, Texas 78731

STATE OF TEXAS } KNOW ALL MEN BY THESE PRESENTS
COUNTY OF TRAVIS }

Before me, the undersigned authority, on this day personally appeared John Muhich, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose therein expressed and in his capacity as trustee of The J. Muhich Asset Trust and The Manchaca Business Trust.

GIVEN UNDER MY HAND THIS 1st DAY OF FEBRUARY, 2000.

Notary Public in and for the State of Texas

My Commission Expires: 11-10-2003



CORRIDOR ENGINEERING COMPANY

307 SUNSET DRIVE
(512) 244-4279

ROUND ROCK, TEXAS 78664
FAX: (512) 244-0504

LENZ & ASSOCIATES, INC.

COMPLETE PROFESSIONAL LAND SURVEYING SERVICES

(512) 443-1174
1714 FORT VIEW RD., SUITE 104
P.O. BOX 92438
AUSTIN, TEXAS 78709-2438

SURVEY #: 99-0710 F.B. 421-33

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay: 1) limits the number of daily vehicle trips to 2,000; and 2) prohibits the following uses: agricultural sales and services, automotive repair services, automotive rentals, automotive sales, automotive washing (of any type), building maintenance services, campground, commercial blood plasma center, electronic prototype assembly, electronic testing, equipment repair services, equipment sales, laundry services, limited warehousing and distribution, kennels, maintenance and service facilities, monument retail sales, transitional housing, transportation terminal and vehicle storage.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

The property has frontage on the westbound lanes of Manchaca Road, a major arterial.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff recommends CS-CO district zoning with the construction sales and services and convenience storage as the only two CS uses, and all permitted GR uses with the exception of auto-related uses, based on the following: 1) the property is situated between two CS uses, 2) location along an arterial roadway; and 3) limitation on the number of daily vehicle trips to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped with several large trees on the front portion of the lot.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 80% which is based on the more restrictive zoning regulations.

Comprehensive Planning

This zoning case is located on the east side of Manchaca Road (south of Slaughter Lane) on a heavily wooded property that is approximately 2.83 acres in size. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include a convenience storage facility to the north and east, a lumber yard to the south, and retail uses and an auto repair shop to the west. The proposed use is combined restaurant/bowling alley/office project.

Imagine Austin

The comparative scale of the site relative to other commercial uses located along Manchaca Road falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Transportation

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on this particular segment of Manchaca Road.

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

8.11.2015

To whom it may concern,

My name is Joshua Bumb, I am one of the owners of Moontower Saloon across the street from case # C14-2015-0096—up for zoning change.

I understand that the new owner would like to put up a restaurant/bowling alley; if the new owner intends to make it mixed use with intent to sell alcohol, I feel compelled to express my concerns, but first—I must say, this is not in any way some attempt to keep competition from the neighborhood. In fact, many say that other bars and restaurants would increase our sales and we, by no means, mean to be sour neighbors to the inevitable growth of the area. I state this only to ensure that my concerns truly speak to the safety and well being of everyone involved.

That said, the following are my concerns:

Manchaca road south of Slaughter is a very dangerous road.

Just last week there were TWO tragic losses of life on this particular stretch (between Slaughter and old Manchaca rd), one late in the evening at Manchaca and the Old Manchaca rd, and another in the afternoon at Slaughter and Manchaca.

This stretch of road I speak of is insufficiently illuminated making it quite dark at night, and it has a very high speed limit (it also contains a certain curve/elevation change that makes part of the road 'blind' to drivers turning south onto it from Slaughter).

This is the same stretch of land where the firefighter Collin Camp was hit while riding his bicycle in broad daylight. We held a Fundraiser for his family and felt horrible because our concerns about speed and lighting of the road had been previously, seemingly, unacknowledged by the powers that be when we tried to bring it to their attention after parking disputes right after our opening.

The main concern is this: the street is dark (for the first year and a half we illuminated the street with generators and lights), very wide, has blind spots and extremely dangerous—without lighting and crosswalks will people try to run across the street at various locations to go from bar to bar as new places begin to open? The answer is absolutely yes they will--- in fact they have and still do just from the neighborhood across the street and formerly much more frequently (when we did not have enough parking to accommodate they would park in the shopping center across the street at Slaughter and Manchaca).

By writing this I only wish to express my deep concern that, without installing proper lighting and crosswalks, this stretch of road should not have any other drinking establishments on it on the East side. This, in my mind, would only encourage pedestrian traffic on a severely under-lit, high rate of speed, and historically dangerous stretch of road here in south Austin—Something all future business owners in the immediate area will hopefully understand and agree with.

Thank you for your time,

Josh Bumb
512-433-9824

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0096

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: Aug 18, 2015, Zoning and Platting Commission
Sept. 10, 2015, City Council**

JOSE BUN B

Your Name (please print)

10212 Manchaca RD

Your address(es) affected by this application

8-11-15

Date

Signature

Daytime Telephone: 512-433-9824

*Comments: * UNTIL SAFETY MEASURES HAVE BEEN*

PUT IN PLACE. PLEASE SEE ATTACHED

LETTER. THANK YOU.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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 are or at a public hearing. Your
 commission's name, the scheduled
 listed on the notice.

Case Number: C14-2015-0096
 Contact: Wendy Rhoades, 512-974-7719
 Public Hearing: Aug 18, 2015, Zoning and Platting Commission
 Sept. 10, 2015, City Council

Dezard Spencer
 Your Name (please print)
☒ I am in favor
☐ I object
1407 Huchala Drive
 Your address(es) affected by this application
Dezard Spencer
 Signature
9-17-15
 Date

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810